REMARKS

In accordance with the elections made herein and in an effort to expedite prosecution of the present application, original claims 1-39 have hereby been newly canceled and claims 40-59 have been newly added. Support for the newly submitted claims can be found throughout the originally filed application, including the claims of elected Group I (*i.e.*, claims 1-23 and 25-37). No new matter has been added via these claims amendments.

Additional, specific support for select embodiments in the new claim set can be found at least in the originally filed application as provided in the following table:

Claims	Claim Element	Exemplary Support
40, 50	"wherein said priming agent comprises a polysaccharide with at least one aldehyde group"	page 31, par. 00121
41, 51	"wherein the extracellular matrix is cartilage"	Figure 1 page 21, par. 0091 page 30, par. 00118
42, 52	"wherein said cartilage is disposed in a mammal"	page 30, par. 00118 original claims 3-5, and 26-28
43, 53	"wherein the polysaccharide is chondroitin sulfate"	Example III, pages 27-28 page 31, par. 00121 Figure 7
44, 54	"wherein said priming agent further comprises at least one free radical polymerizing group selected from the group consisting of an acrylate, diacrylate, oligoacrylate, dimethacrylate, and oligo methacrylate"	page 15, par. 0065 page 31, par. 00121
45, 55	"wherein said polymerizable agent has at least one free radical polymerizable group selected from the group consisting of an acrylate, diacrylate, oligoacrylate, dimethacrylate, and oligomethacrylate"	page 15, par. 0065
47, 57	"wherein the polymerizable agent comprises biologically active material"	page 18, par. 0075 - 0077
48, 58	"wherein the biologically active material comprises autologous cells"	page 16, par. 0069 pages 16-17, par. 0070
49, 59	"wherein the biologically active material comprises a growth factor"	page 18, par. 0076

RESPONSE TO RESTRICTION REQUIREMENTS

Group Election. Applicants elect Group I drawn to a hydrogel bound to an extracellular matrix and methods of making, classified in class 424, subclass 423, for example. Original claims 1-23 and 25-37 of Group I have herein been replaced with new claims 40-59, which are drawn to the same subject matter as the claims of elected Group I.

Species Election. Applicants elect the following species with traverse:

Extracellular Matrix: cartilage

Priming Step: reacting the priming agent with the extracellular matrix to covalently bind the extracellular matrix and priming agent

Priming Agent: a compound with an aldehyde group

Primed Extracellular Matrix: extracellular matrix covalently bound to the priming agent

Reacting Step: covalently binding the polymerizable agent to the primed extracellular matrix and crosslinking the polymerizable agent

Addition to Reacting Step: by exposing the primed extracellular matrix and the polymerizable agent to a source of ultraviolet radiation

Applicants traverse the species requirement in that some of the designated species classifications clearly encompass more species than listed in the Office Action and some of the species descriptions are too limiting given the breadth of the original claims. Particularly, Applicants assert that the species designated as 'Extracellular Matrix' encompasses "cartilage" and the newly submitted claims are directed to this elected species. Furthermore, the species

designated as 'Priming Agent' includes compounds with an aldehyde group and the newly submitted claims are directed to "polysaccharide with at least one aldehyde group" , wherein one example of a suitable polysaccharide includes "chondroitin sulfate with at least one aldehyde group". Exemplary support for each of these species elections is provided in the table above.

Upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

CONCLUSION

Applicants respectfully submit that the instant application is in full condition for allowance. Favorable examination of the claims on the merits is respectfully requested. The Examiner is invited to contact the undersigned if any issues remain outstanding after consideration of this Amendment and Response.

Except for issue fees payable under 37 C.F.R.§ 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R.§ 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1283. This paragraph is intended to be a **Constructive Petition for Extension of Time** in accordance with 37 C.F.R. § 1.136(a)(3).

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Respectfully submitted,
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